

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1134 be amended to read as follows:

- 1 Page 8, between lines 16 and 17, begin a new paragraph and
2 insert:
3 "SECTION 8. IC 31-30-1-2.5, AS ADDED BY P.L.173-2006,
4 SECTION 18, IS AMENDED TO READ AS FOLLOWS: Sec. 2.5.
5 A juvenile court may not appoint a person to serve as the guardian or
6 custodian of a child **or permit a person to continue to serve as a**
7 **guardian or custodian of a child** if the person is:
8 (1) a sexually violent predator (as described in
9 IC 35-38-1-7.5); **or**
10 (2) a person who was at least eighteen (18) years of age at the
11 time of the offense and who committed child molesting (IC
12 35-42-4-3) or sexual misconduct with a minor (IC 35-42-4-9)
13 against a child less than sixteen (16) years of age:
14 (A) by using or threatening the use of deadly force;
15 (B) while armed with a deadly weapon; or
16 (C) that resulted in serious bodily injury; **or**
17 **(3) was less than eighteen (18) years of age at the time of**
18 **the offense but was tried and convicted as an adult of an**
19 **offense described in:**
20 (A) IC 35-42-4-1;
21 (B) IC 35-42-4-2;
22 (C) 35-42--4-3 as a Class A or Class B felony;
23 (D) IC 35-42-4-5(a)(1);
24 (E) IC 35-42-4-5(a)(2);

1 (F) IC 35-42-4-5(a)(3);
2 (G) IC 35-42-4-5(b)(1) as a Class A or Class B felony;
3 (H) IC 35-42-4-5(b)(2);
4 (I) IC 35-42-4-5(b)(3) as a Class A or Class B felony;
5 (J) an attempt or conspiracy to commit a crime listed
6 in clauses (A) through (I); or
7 (K) a crime under the laws of another jurisdiction,
8 including a military court, that is substantially
9 equivalent to any of the offenses listed in clauses (A)
10 through (J).

11 SECTION 9. [EFFECTIVE UPON PASSAGE] IC 31-30-1-2.5,
12 as amended by this act, applies to proceedings pending on or
13 initiated on or after the effective date of this SECTION.

14 SECTION 10. An emergency is declared for this act."

15 Renumber all SECTIONS consecutively.

(Reference is to 1134 as printed January 25, 2008.)

Representative BURTON